

Message Text

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PAGE 01 MOSCOW 03469 031343Z
ACTION SS-25

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AMCONSUL LENINGRAD
AMCONSUL MUNICH
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY TEL AVIV
AMEMBASSY WARSAW

C O N F I D E N T I A L MOSCOW 03469

EXDIS

FOR USDEL CSCE

E.O. 11652: XGDS-1
TAGS: PINT, PINS, CSCE, SHUM, UR
SUBJECT: DISSIDENT AND REFUSENIK DEVELOPMENTS

REF: (A) BONN 02748 (NOTAL), (B) MOSCOW 3331 (NOTAL)

SUMMARY: SOVIET ATTORNEYS HAVE MET WITH ORLOV AND GINZ-
BURG, BOTH OF WHOM ARE REPORTEDLY ACTIVELY WORKING ON
THEIR OWN DEFENSE. SHCHARANSKIY'S FAMILY HAS REFUSED TO
NAME A LAWYER FOR HIM AND THERE HAS BEEN NO CONTACT WITH
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HIM. END SUMMARY.

1. GINZBURG AND ORLOV. REFUSENIK SOURCES WHO ARE CLOSE
TO MRS. ORLOV TELL US THAT THE ATTORNEYS WHO HAVE BEEN
CHOSEN BY THEIR FAMILIES HAVE MET WITH GINZBURG AND
ORLOV. THE ATTORNEYS HAVE BEEN SELECTED TO HELP REVIEW
THE DOCUMENTS IN THE CASES AND MIGHT NOT ACT AS DEFENSE

ATTORNEYS IN EVENTUAL TRIAL. OUR SOURCES BELIEVE THAT GINZBURG AND ORLOV HAVE DECIDED TO DEFEND THEMSELVES, BUT ARE ACCEPTING ATTORNEYS NOW FOR ASSISTANCE IN REVIEWING DOCUMENTS IN CASE AND TO PROVIDE CONTACT WITH OUTSIDE WORLD.

2. THE ATTORNEYS (WHO OUR SOURCES CHARACTERIZE AS "GOOD MEN" AND NOT "KGB-CLEARED", BUT TORDINARY LAWYERS") HAVE TOLD THE FAMILIES THAT BOTH MEN HAVE BEEN ILL, ORLOV WITH FLU AND GINZBURG WITH "LUNG PROBLEMS" (DESPITE WHICH HIS FIRST REQUEST THROUGH HIS LAWYER WAS FOR A CARTON OF CAMEL CIGARETTES). HIS LAWYER REPORTS THAT ORLOV IS TIRED, BUT NEVERTHELESS MENTALLY STRONG AND ALERT.

3. ACCORDING TO OUR SOURCES, ALL DOCUMENTS RELATING TO THE SOLZHENITSYN FUND HAVE BEEN RETURNED TO MRS. GINZBURG, LEADING THEM TO BELIEVE THAT THIS PART OF CHARGE WILL BE DROPPED AND PERHAPS EVEN NATURE OF OVER-ALL CHARGE WILL BE EASED. THEY NOTE THAT BOTH MEN HAVE ALREADY SPENT MORE TIME IN DETENTION THAN THE SIX-MONTH MINIMUM PROVIDED UNDER ARTICLE 70 AND COULD CONCEIVABLY THEREFORE BE RELEASED IMMEDIATELY EVEN IF FOUND GUILTY.

4. SHCHARANSKIY. SHCHARANSKIY'S MOTHER HAS REPORTEDLY REFUSED TO SELECT A LAWYER WITHOUT SEEING HER SON FIRST. CONFIDENTIAL

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THE AUTHORITIES HAVE REFUSED TO PERMIT A VISIT AND A STALEMATE NOW EXISTS. THIS SITUATION, ACCORDING TO OUR SOURCES, HAS CAUSED SOME EMOTIONAL ARGUMENTS WITHIN REFUSENIK COMMUNITY, WITH SOME BELIEVING IT WOULD BE BETTER FOR FAMILY TO SELECT A LAWYER WHO COULD AT LEAST SERVE AS A POINT OF CONTACT WITH SHCHARANSKIY (A LA GINZBURG AND ORLOV) AND OTHERS, APPARENTLY WITH MORE INFLUENCE ON FAMILY, DISAGREEING.

5. ONE OF OUR SOURCES SAYS THAT SHCHARANSKIY'S BROTHER TOLD HER THAT WHEN SOVIET AUTHORITIES TOLD HIM TO NAME A LAWYER, BESIDES STATING THAT THE INVESTIGATION WAS OVER, THEY SPECIFICALLY TOLD HIM THAT SHCHARANSKIY WAS BEING CHARGED UNDER ARTICLE 64, TREASON.

6. TIMING OF TRIALS. THESE CONTACTS BELIEVE THAT TRIALS WILL BEGIN WITHIN A MONTH. THEY DO NOT HAVE SPECIFIC INFORMATION ON WHICH TO BASE THIS BELIEF, BUT SENSE THAT CURRENT ACTIVITIES INDICATE THAT AUTHORITIES ARE NOW IN A HURRY TO GET ON WITH TRIALS.

7. MOOD AMONG REFUSENIKS. OUR SOURCES CHARACTERIZE

CURRENT MOOD AS VERY LOW, WITH PEOPLE WORRIED AND NERVOUS.
THERE IS MUCH DISSENSION, SOME OVER ISSUES SUCH AS
SHCHARANSKIY DEFENSE (PARA 4, ABOVE) AND SOME WHICH OUR
SOURCES BELIEVE IS SIMPLY MOSCOW END-OF-WINTER MOODINESS.
REFUSENIKS ARE AWARE THAT NUMBER OF JEWS RECEIVING
EXIT PERMISSION HAS INCREASED SUBSTANTIALY, BUT ARE ALSO
ACUTELY AWARE THAT THIS TREND HAS ALMOST TOTALLY
BYPASSED REFUSENIK COMMUNITY. MATLOCK

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